

**UNITED STATES
NATIONAL LABOR RELATIONS BOARD**

MVM Security Services, Inc.	:	
Employer,	:	
	:	
National League of Justice and Security	:	5-RD-143548
Professionals	:	5-RC-143623
Intervenor,	:	
	:	
Security, Police and Fire Professionals	:	
Of America	:	
Intervenor,	:	
	:	
United Security and Police Officers	:	
Of America (“USPOA”)	:	
Intervenor/Union.	:	

UNION/INTERVENOR USPOA BRIEF REGARDING HEARING

USPOA, Union (RD) and Intervenor (RC), respectfully files the following as its brief on issues presented by the hearing on the above referenced petitions.

I. ISSUES REGARDING INTERVENTION

Pursuant to the NLRB Case handling manual for representation proceedings, Section 11194, the hearing officer was to have entertained issues relating to intervention. USPOA raised issues regarding fraudulent conduct of Intervenor, NLJSP which were not resolved by the hearing officer and require the attention and appropriate resolution of the Regional Director.

Ron Mikell purported to represent the NLJSP as its President at the hearing convened on January 13, 2015. However, just weeks prior, Mikell filed three (3) AC petitions with the NLRB as the purported President and Executive Director of USPOA. Exhibit 1. Prior to filing the AC petitions, Mikell (or his representative), issued fraudulent letters to several employers with labor agreements with USPOA. E.g. Exhibit

2. In the letters, Mikell similarly purported to represent the USPOA as its President and Executive Director and instructed the employers to begin sending dues remittance or payments to his attention. Of course, Mikell is not affiliated or in any manner related to the USPOA. While it appears that Mikell abandoned his claim of representation of the USPOA in the afore-referenced petitions, the Board must take note of his fraudulent conduct.

Ron Mikell is not an appropriate representative for the Intervenor, NLJSP. At a minimum, there is a conflict of interest with respect to Ron Mikell's representation of NLJSP given his purported representation of the USPOA. Ron Mikell should be banned from participation in this process because he filed fraudulent petitions with the Board. NLJSP's intervention should be denied, lacking valid representation before the Board.

II. THE MATTER IS NOT RIPE FOR DECISION

As evidenced by the attached correspondence, the sufficiency of the showing of interest and allegations of fraud regarding the same were not resolved prior to hearing. Exhibit 3. The matter is not ripe for decision until allegations of fraud have been resolved and the sufficiency of the showing of interest has been determined.

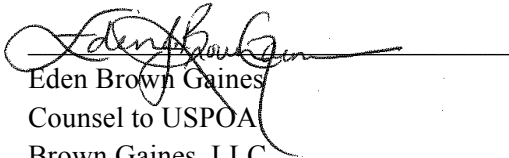
III. THE PETITIONS SHOULD NOT BE CONSOLIDATED

Although Board Rules allow for the consolidation of petitions in matters where the employer is the same, the instant petitions should not be consolidated. In the thirty (30) days prior to the hearing, three (3) AC petitions (filed by Ron Mikell as the ostensible President/Executive Director of USPOA); a UD petition (filed by an employee in the Unit); a RD petition (filed by an employee in the Unit) and a RC petition (filed by a rival union) were filed. Given the allegations of fraud and misrepresentation, the

number of competing interests and the potential for confusion of the employees in the unit in an election where so many choices are possible (decertification, the selection of multiple Unions or the incumbent), the RD petition should be handled separately (without intervention) from the RC petition.

Respectfully submitted:

January 20, 2015



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CERTIFICATE OF SERVICE

I do hereby certify that a copy of the foregoing Motion to Intervene and to Postpone the Hearing was served via electronic mail this 20th day of January, 2015 to the following:

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